

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION**

**Case No.: 22-CV-22538-ALTMAN/REID**

Pierce Robertson, et al., on behalf of themselves  
and all others similarly situated,

Plaintiffs,

**CLASS ACTION COMPLAINT**

v.

**JURY DEMAND**

Mark Cuban, Dallas Basketball Limited, d/b/a  
Dallas Mavericks, and Stephen Ehrlich,

Defendants.

/

**NOTICE OF FILING AMENDED COMPLAINT**

By the agreement of the Parties, Plaintiffs will file the attached Amended Complaint as a separate docket entry in order to streamline the issues for this litigation. Plaintiffs intended on proceeding on the currently filed complaint in this Action, ECF No. 1, as represented at the Status Conference before the Court today. In order to do so, however, Plaintiffs would have been required to file with this Court an additional notice of dismissing various causes of action against the Defendants that were arguably more properly brought by the Bankruptcy Estate.

Instead, the attached Amended Complaint is the version that was filed in the Bankruptcy Proceeding on October 7, 2022, as Exhibit A to Pierce Robertson's Objection to the Debtors' Motion to Extend the Automatic Stay, and is the version not objected to by the parties to the Bankruptcy Proceeding. *See Voyager Digital Holdings, Inc., et al. v. Pierce Robertson, et al.*, Adv. Proc. No. 22-01138-mew, ECF No. 18 (S.D.N.Y. Oct. 3, 2022); *id.*, ECF No. 23 (S.D.N.Y. Oct. 7, 2022). Defendants' counsel received this version through the Bankruptcy Proceeding as they entered their appearances in that action and were actively involved in the proceedings, as explained in Plaintiffs' prior submissions to this Court.

The Parties agree that the Defendants' Motion to Dismiss shall remain due on or before Friday, November 18, 2022.

Case No.: 22-CV-22538-ALTMAN/REID

Dated: October 28<sup>th</sup>, 2022.

Respectfully submitted,

**By: /s/ Adam M. Moskowitz**

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the forgoing was filed on October 28, 2022, with the Court via CM/ECF system, which will send notification of such filing to all attorneys of record.

By: /s/ Adam M. Moskowitz

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